

Montana Department of Natural Resources and Conservation
Water Resources Division
Water Rights Bureau

ENVIRONMENTAL ASSESSMENT
For Routine Actions with Limited Environmental Impact

Part I. Proposed Action Description

1. Applicant/Contact name and address:
Dooley Land and Livestock
24727 Frontage Road
Bozeman, MT 59718
2. Type of action: Application to change a water right # 30029557-41H
3. Water source name: East Gallatin River
4. Location affected by project: SWNENE, Sec. 21, NWSWNW, Sec. 22 T1S, R5E, Gallatin, Co.
5. Narrative summary of the proposed project, purpose, action to be taken, and benefits:
The applicant is removing land historically used, a 2-acre place of use identified in the SWNENE, sec. 21 and placing it in the SWNWNW, Sec. 22, T1S, R5e, Gallatin, Co
The DNRC shall issue a change authorization if an applicant proves the criteria in 85-2-402 MCA are met.")
6. Agencies consulted during preparation of the Environmental Assessment:
(include agencies with overlapping jurisdiction)

Montana Department of Environmental Quality
Montana State Historic Preservation Office
Montana Natural Resource Information System
Gallatin County Planning Office
Gallatin Local Water Quality District
Gallatin County Planning Office
Montana Department of Fish, Wildlife and Parks

Part II. Environmental Review

1. Environmental Impact Checklist:

PHYSICAL ENVIRONMENT

WATER QUANTITY, QUALITY AND DISTRIBUTION

Water quantity - Assess whether the source of supply is identified as a chronically or periodically dewatered stream by DFWP. Assess whether the proposed use will worsen the already dewatered condition.

Determination: The East Gallatin River is not listed on DFWP dewatered stream list.

Water quality - Assess whether the stream is listed as water quality impaired or threatened by DEQ, and whether the proposed project will affect water quality.

Determination: The East Gallatin River does not appear on the impaired or threatened water quality list.

Groundwater - Assess if the proposed project impacts ground water quality or supply. If this is a groundwater appropriation, assess if it could impact adjacent surface water flows.

Determination: This project is not for groundwater

DIVERSION WORKS - Assess whether the means of diversion, construction and operation of the appropriation works of the proposed project will impact any of the following: channel impacts, flow modifications, barriers, riparian areas, dams, well construction.

Determination: The original diversion works will not be altered.

UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES

Endangered and threatened species - Assess whether the proposed project will impact any threatened or endangered fish, wildlife, plants or aquatic species or any "species of special concern," or create a barrier to the migration or movement of fish or wildlife. For groundwater, assess whether the proposed project, including impacts on adjacent surface flows, would impact any threatened or endangered species or "species of special concern."

Determination: The Montana Natural Heritage Program was contacted, no significant impacts should occur due to this project.

Wetlands - Consult and assess whether the apparent wetland is a functional wetland (according to COE definitions), and whether the wetland resource would be impacted.

Determination: No wetlands have been identified in the area.

Ponds - For ponds, consult and assess whether existing wildlife, waterfowl, or fisheries resources would be impacted.

Determination: No ponds are associated with this project.

GEOLOGY/SOIL QUALITY, STABILITY AND MOISTURE - *Assess whether there will be degradation of soil quality, alteration of soil stability, or moisture content. Assess whether the soils are heavy in salts that could cause saline seep.*

Determination: No saline seeps have been identified in the area.

VEGETATION COVER, QUANTITY AND QUALITY/NOXIOUS WEEDS - *Assess impacts to existing vegetative cover. Assess whether the proposed project would result in the establishment or spread of noxious weeds.*

Determination: By irrigating this area and propagating a tree farm vegetative cover should be improved.

AIR QUALITY - *Assess whether there will be a deterioration of air quality or adverse effects on vegetation due to increased air pollutants.*

Determination: There will be no source of pollutants associated with the change in water use that will alter air quality.

HISTORICAL AND ARCHEOLOGICAL SITES - *Assess whether there will be degradation of unique archeological or historical sites in the vicinity of the proposed project.*

Determination: The use of irrigation water to propagate planted vegetation is believed not to cause further impact to unique archeological or historical sites on the applicant's proper

DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY - *Assess any other impacts on environmental resources of land, water and energy not already addressed.*

Determination: None identified.

HUMAN ENVIRONMENT

LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS - *Assess whether the proposed project is inconsistent with any locally adopted environmental plans and goals.*

Determination: None identified

ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES - *Assess whether the proposed project will impact access to or the quality of recreational and wilderness activities.*

Determination: This project is landlocked by private land.

HUMAN HEALTH - *Assess whether the proposed project impacts on human health.*

Determination: No Impacts identified.

PRIVATE PROPERTY - Assess whether there are any government regulatory impacts on private property rights.

Yes___ No **x**___ If yes, analyze any alternatives considered that could reduce, minimize, or eliminate the regulation of private property rights.

Determination:

OTHER HUMAN ENVIRONMENTAL ISSUES - For routine actions of limited environmental impact, the following may be addressed in a checklist fashion.

Impacts on:

- (a) Cultural uniqueness and diversity? No Impacts identified
- (b) Local and state tax base and tax revenues? No Impacts identified
- (c) Existing land uses? No Impacts identified
- (d) Quantity and distribution of employment? No Impacts identified
- (e) Distribution and density of population and housing? No Impacts identified
- (f) Demands for government services? No Impacts identified
- (g) Industrial and commercial activity? No Impacts identified
- (h) Utilities? No Impacts identified
- (i) Transportation? **No Impacts identified**
- (j) Safety? **No Impacts identified**
- (k) Other appropriate social and economic circumstances? No Impacts identified

2. Secondary and cumulative impacts on the physical environment and human population:

Secondary Impacts: No Secondary impacts identified

Cumulative Impacts: No Cumulative impacts identified

3. Describe any mitigation/stipulation measures: None identified at this time

4. Description and analysis of reasonable alternatives to the proposed action, including the no action alternative, if an alternative is reasonably available and prudent to consider:

PART III. Conclusion

1. ***Preferred Alternative:*** No preferred alternative at this time
2. **Comments and Responses:** No Comments or responses received at this time
3. ***Finding:***
Yes___ No__**x**_ *Based on the significance criteria evaluated in this EA, is an EIS required?*

If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action: An EA is adequate for this project.

Name of person(s) responsible for preparation of EA:

Name: Porter Dassenko

Title: Water Resource Specialist

Date: 09/27/2007